United Nations E/2000/42

Economic and Social Council

Distr.: General
1 May 2000

Original: English

Resumed organizational session for 2000
3 and 4 May 2000
Agenda item 2
Adoption of the agenda and other organizational matters

Letter dated 26 April 2000 from the Chairman of the fifty-sixth session of the Commission on Human Rights addressed to the President of the Economic and Social Council

The United Nations Commission on Human Rights established, in its resolution 1994/9 and 1994/10: (a) an open-ended inter-sessional working group on the elaboration of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication and (b) an open-ended inter-sessional working group on a draft optional protocol on the Convention on the Rights of the Child on the involvement of children in armed conflicts. The two working groups finalized their work six years later, in January and February 2000.

The achievement of the two optional protocols to the Convention on the Rights of the Child are high on the agenda of child rights issues for many Governments, United Nations agencies, international organizations and non-governmental organizations. The optional protocols have now emerged as the result of hard and constructive work by all participants, in a spirit of compromise. The texts of the two draft optional protocols were adopted by consensus by the Commission on Human Rights in its resolution 2000/59 of 26 April 2000. The text of the resolution as well as of the two optional protocols will be attached in an addendum to the present letter.

The Commission on Human Rights recommends the two optional protocols to the Convention on the Rights of the Child contained in the annexes to the resolution for early adoption by the Economic and Social Council and the General Assembly. It is furthermore recommended that, after adoption by the General Assembly, the two optional protocols be opened for early signature and ratification or accession, namely:

(a) At the special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", to be held in New York from 5 to 9 June 2000, and thereafter;

00-41143 (E) 020500

(b) At United Nations Headquarters in New York and at the special session of the General Assembly, entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", to be held in Geneva from 26 to 30 June 2000;

(c) At the Millennium Summit of the Millennium Assembly, to be held in New York from 5 to 8 September 2000.

Resolution 2000/59 includes proposed texts of the draft resolutions for adoption by the Economic and Social Council and the General Assembly.

I have taken special satisfaction in participating in the elaboration of resolution 2000/59 and its adoption by the Commission on Human Rights and would like to contribute to the adoption and ratification of or accession to the two optional protocols by Member States as soon as possible. Based upon the strong support of the Commission on Human Rights, I would like to suggest that action on the draft resolution by the Economic and Social Council be scheduled at an early date, preferably on the agenda for the meeting of the Council on 3 and 4 May 2000. Early adoption by the General Assembly would allow preparations for an opening for signature and ratification or accession as proposed above.

(*Signed*) Shambhu Ram **Simkhada**
Chairman of the fifty-sixth session of the
Commission on Human Rights

United Nations E/2000/42/Add.1

Economic and Social Council

Distr.: General
4 May 2000

Original: English

Resumed organizational session for 2000
10 May 2000
Agenda item 2
Adoption of the agenda and other organizational matters

Letter dated 26 April 2000 from the Chairman of the fifty-sixth session of the Commission on Human Rights addressed to the President of the Economic and Social Council

Addendum

The present addendum contains the texts of the two draft optional protocols to the Convention on the Rights of the Child, which were adopted by consensus by the Commission on Human Rights in its resolution 2000/59 of 26 April 2000. It also contains the text of two draft resolutions recommended by the Commission for adoption by the Economic and Social Council and the General Assembly, respectively.

* * *

00-41836 (E) 050500

2000/59
Question of draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography

The Commission on Human Rights,

Recalling its resolutions 1994/91 and 1994/90 of 9 March 1994, by which it established: (a) an inter-sessional open-ended working group on a draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflict; and (b) an inter-sessional open-ended working group on the elaboration of a draft optional protocol to the Convention on the Rights of the Child on the sale children, child prostitution and child pornography,

Recalling also its subsequent resolutions, in particular its resolution 1999/80 of 28 April 1999, in which it requested its open-ended working groups to meet early in 2000 in order to make further progress with the aim of finalizing their work before the tenth anniversary of the entry into force of the Convention on the Rights of Child, and to report to the Commission at its fifty-sixth session,

Recalling further that the General Assembly, in its resolution 54/149 of 17 December 1999, strongly supported the work of the open-ended inter-sessional working groups and urged them to finalize their work before the tenth anniversary of the entry into force of the Convention on the Rights of the Child,

Adhering to the principle that the best interests of the child are to be a primary consideration in all actions concerning children,

Reaffirming its commitment to strive for the promotion and protection of the rights of the child in all avenues of life,

Conscious of the tenth anniversaries, in the year 2000, of the World Summit for Children and the entry into force of the Convention on the Rights of the Child, and of the symbolic and practical importance of the adoption of the two draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography before the special session of the General Assembly for the follow-up to the World Summit for Children, to be convened in 2001,

Recognizing that the adoption and implementation of the two draft optional protocols to the Convention on the Rights of the Child will make a substantial contribution to the promotion and protection of the rights of the child,

1. *Welcomes with appreciation* the reports of the open-ended working groups set up by the Commission on Human Rights to draft the two optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (E/CN.4/2000/74, E/CN.4/2000/75), and in particular that the working groups were able to finalize their work and to submit the texts of the two draft optional protocols to the Commission on Human Rights at its fifty-sixth session;

2. *Adopts* the texts of the two draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflicts and on the sale of children, child prostitution and child pornography, as contained in the annex to the present resolution;

3. *Calls upon* all States which have signed or ratified or acceded to the Convention on the Rights of the Child to sign and ratify or accede to the two optional protocols as soon as possible after they are adopted by the General Assembly;

4. *Recommends* that the two optional protocols, after adoption by the General Assembly, be opened for early signature and ratification or accession at the special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", to be convened from 5 to 9 June 2000 in New York, and thereafter at United Nations Headquarters, including at the special session of the General Assembly, entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world", to be convened from 26 to 30 June 2000 in Geneva, and at the Millennium Summit of the United Nations, to be convened from 5 to 8 September 2000 in New York;

5. *Recommends* the following draft resolution to the Economic and Social Council for adoption:

"*The Economic and Social Council*,

"*Noting* Commission on Human Rights resolution 2000/59 of 26 April 2000, including the annex thereto, of 26 April 2000, in which the Commission approved the texts of the two draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,

"1. *Expresses its appreciation* to the Commission on Human Rights for finalizing the two draft optional protocols;

"2. *Approves* the two draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, annexed to the present resolution;

"3. *Recommends* that the two optional protocols, after adoption by the General Assembly, be open for early signature and ratification or accession: at the special session of the General Assembly, entitled 'Women 2000: gender equality, development and peace for the twenty-first century', to be convened from 5 to 9 June 2000 in New York, and thereafter at United Nations Headquarters, including at the special session of the General Assembly, entitled 'World Summit for Social Development and beyond: achieving social development for all in a globalized world', to be convened from 26 to 30 June 2000 in Geneva, and at the Millennium Summit of the United Nations, to be convened from 5 to 8 September 2000, in New York;

"4. *Recommends* the following draft resolution to the General Assembly for adoption:

'*The General Assembly*,

'*Recalling* all its previous resolutions on this topic, and in particular its resolution 54/149 of 17 December 1999, in which it strongly supported the work of the open-ended inter-sessional working groups and urged them to finalize their work before the tenth anniversary of the entry into force of the Convention on the Rights of the Child,

'*Expressing its appreciation* to the Commission on Human Rights for having finalized the texts of the two draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,

'*Conscious* of the tenth anniversaries, in the year 2000, of the World Summit for Children and the entry into force of the Convention on the Rights of the Child and of the symbolic and practical importance of the adoption of the two draft optional protocols to the Convention on the Rights of the Child before the special session of the General Assembly for the follow-up to the World Summit for Children, to be convened in 2001,

'*Adhering* to the principle that the best interests of the child are to be a primary consideration in all actions concerning children,

'*Reaffirming its commitment* to strive for the promotion and protection of the rights of the child in all avenues of life,

'*Recognizing* that the adoption and implementation of the two draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography will make a substantial contribution to the promotion and protection of the rights of the child,

'1. *Adopts and opens for signature and ratification or accession* the two optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, the texts of which are annexed to the present resolution;

'2. *Invites* all States, which have signed or ratified or acceded to the Convention on the Rights of the Child, to sign and ratify or accede to the annexed optional protocols as soon as possible in

order to facilitate their early entry into force;

'3. *Decides* that the two optional protocols to the Convention on the Rights of the Child will be opened for signature: at the special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", to be convened from 5 to 9 June 2000 in New York; and thereafter at United Nations Headquarters, including at the special session of the General Assembly, entitled "World Summit for Social Development and beyond: achieving social development for all in a globalized world", to be convened from 26 to 30 June 2000 in Geneva, and at the Millennium Summit of the United Nations, to be convened from 5 to 8 September 2000, in New York;

'4. *Requests* the Secretary-General to include information on the status of the two optional protocols in his regular report to the General Assembly on the status of the Convention on the Rights of the Child.'"

Annex

A
Draft optional protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict

The States Parties to the present Protocol,

Encouraged by the overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

Reaffirming that the rights of children require special protection, and calling for continuous improvement of the situation of children without distinction, as well as for their development and education in conditions of peace and security,

Disturbed by the harmful and widespread impact of armed conflict on children and the long-term consequences this has for durable peace, security and development,

Condemning the targeting of children in situations of armed conflict and direct attacks on objects protected under international law, including places generally having a significant presence of children, such as schools and hospitals,

Noting the adoption of the Statute of the International Criminal Court and, in particular, the inclusion in the Statute of conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities as a war crime in both international and non-international armed conflicts,

Considering, therefore, that to strengthen further the implementation of rights recognized in the Convention on the Rights of the Child there is a need to increase the protection of children from involvement in armed conflict,

Noting that article 1 of the Convention on the Rights of the Child specifies that, for the purposes of that Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier,

Convinced that an optional protocol to the Convention, raising the age of possible recruitment of persons into armed forces and their participation in hostilities, will contribute effectively to the implementation of the principle that the best interests of the child are to be a primary consideration in all actions concerning children,

Noting that the twenty-sixth international Conference of the Red Cross and Red Crescent in December 1995 recommended, *inter alia*, that parties to conflict take every feasible step to ensure that children under the age of 18 years do not take part in hostilities,

Welcoming the unanimous adoption, in June 1999, of International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which prohibits, *inter alia*, forced or compulsory recruitment of children for use in armed conflict,

Condemning with the gravest concern the recruitment, training and use within and across national borders of children in hostilities by armed groups distinct from the armed forces of a State, and

recognizing the responsibility of those who recruit, train and use children in this regard,

Recalling the obligation of each party to an armed conflict to abide by the provisions of international humanitarian law,

Stressing that this Protocol is without prejudice to the purposes and principles contained in the Charter of the United Nations, including Article 51, and relevant norms of humanitarian law,

Bearing in mind that conditions of peace and security based on full respect of the purposes and principles contained in the Charter and observance of applicable human rights instruments are indispensable for the full protection of children, in particular during armed conflicts and foreign occupation,

Recognizing the special needs of those children who are particularly vulnerable to recruitment or use in hostilities contrary to this Protocol owing to their economic or social status or gender,

Mindful of the necessity of taking into consideration the economic, social and political root causes of the involvement of children in armed conflicts,

Convinced of the need to strengthen international cooperation in implementation of this Protocol, as well as the physical and psychosocial rehabilitation and social reintegration of children who are victims of armed conflict,

Encouraging the participation of the community and, in particular, children and child victims in the dissemination of information and education programmes concerning the implementation of the Protocol,

Have agreed as follows:

Article 1

States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

Article 2

States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.

Article 3

1. States Parties shall raise the minimum age in years for the voluntary recruitment of persons into their national armed forces from that set out in article 38.3 of the Convention on the Rights of the Child, taking account of the principles contained in that article and recognizing that under the Convention persons under 18 are entitled to special protection.

2. Each State Party shall deposit a binding declaration upon ratification of or accession to this Protocol which sets forth the minimum age at which it will permit voluntary recruitment into its national armed forces and a description of the safeguards that it has adopted to ensure that such recruitment is not forced or coerced.

3. States Parties which permit voluntary recruitment into their national armed forces under the age of 18 shall maintain safeguards to ensure, as a minimum, that:

(a) Such recruitment is genuinely voluntary;

(b) Such recruitment is done with the informed consent of the person's parents or legal guardians;

(c) Such persons are fully informed of the duties involved in such military service;

(d) Such persons provide reliable proof of age prior to acceptance into national military service.

4. Each State Party may strengthen its declaration at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall inform all States Parties. Such notification shall take effect on the date on which it is received by the Secretary-General.

5. The requirement to raise the age in paragraph 1 of the present article does not apply to schools operated by or under the control of the armed forces of the States Parties, in keeping with articles 28 and 29 of the Convention on the Rights of the Child.

Article 4

1. Armed groups, distinct from the armed forces of a State, should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years.

2. States Parties shall take all feasible measures to prevent such recruitment and use, including the

adoption of legal measures necessary to prohibit and criminalize such practices.

3. The application of the present article under this Protocol shall not affect the legal status of any party to an armed conflict.

Article 5

Nothing in the present Protocol shall be construed as precluding provisions in the law of a State Party or in international instruments and international humanitarian law which are more conducive to the realization of the rights of the child.

Article 6

1. Each State Party shall take all necessary legal, administrative and other measures to ensure the effective implementation and enforcement of the provisions of this Protocol within its jurisdiction.

2. States Parties undertake to make the principles and provisions of the present Protocol widely known and promoted by appropriate means, to adults and children alike.

3. States Parties shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to this Protocol are demobilized or otherwise released from service. States Parties shall, when necessary, accord to these persons all appropriate assistance for their physical and psychological recovery and their social reintegration.

Article 7

1. States Parties shall cooperate in the implementation of the present Protocol, including in the prevention of any activity contrary to the Protocol and in the rehabilitation and social reintegration of persons who are victims of acts contrary to this Protocol, including through technical cooperation and financial assistance. Such assistance and cooperation will be undertaken in consultation among concerned States Parties and relevant international organizations.

2. States Parties in a position to do so shall provide such assistance through existing multilateral, bilateral or other programmes, or, *inter alia*, through a voluntary fund established in accordance with the General Assembly rules.

Article 8

1. Each State Party shall submit, within two years following the entry into force of the Protocol for that State Party, a report to the Committee on the Rights of the Child, providing comprehensive information on the measures it has taken to implement the provisions of the Protocol, including the measures taken to implement the provisions on participation and recruitment.

2. Following the submission of the comprehensive report, each State Party shall include in the reports they submit to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, any further information with respect to the implementation of the Protocol. Other States Parties to the Protocol shall submit a report every five years.

3. The Committee on the Rights of the Child may request from States Parties further information relevant to the implementation of this Protocol.

Article 9

1. The present Protocol is open for signature by any State which is a party to the Convention or has signed it.

2. The present Protocol is subject to ratification or open to accession by any State. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. The Secretary-General, in his capacity as depositary of the Convention and the Protocol, shall inform all States Parties to the Convention and all States which have signed the Convention of each instrument of declaration pursuant to article 3, ratification or accession to the Protocol.

Article 10

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol, or acceding to it after its entry into force, the present Protocol shall enter into force one month after the date of the deposit of its own instrument of ratification or accession.

Article 11

1. Any State Party may denounce the present Protocol at any time by written notification to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the Convention and all States which have signed the Convention. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General. If, however, on the expiry of that year the denouncing State Party is engaged in armed conflict, the denunciation shall not take effect before the end of the armed conflict.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Protocol in regard to any act which occurs prior to the date at which the denunciation becomes effective. Nor shall such a denunciation prejudice in any way the continued consideration of any matter which is already under consideration by the Committee prior to the date at which the denunciation becomes effective.

Article 12

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments which they have accepted.

Article 13

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States Parties to the Convention and all States which have signed the Convention.

B
Draft optional protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

The States Parties to the present Protocol,

Considering that, in order further to achieve the purposes of the Convention on the Rights of the Child and the implementation of its provisions, especially articles 1, 11, 21, 32, 33, 34, 35 and 36, it would be appropriate to extend the measures that States Parties should undertake in order to guarantee the protection of the child from the sale of children, child prostitution and child pornography,

Considering also that the Convention on the Rights of the Child recognizes the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development,

Gravely concerned at the significant and increasing international traffic of children for the purpose of the sale of children, child prostitution and child pornography,

Deeply concerned at the widespread and continuing practice of sex tourism, to which children are especially vulnerable, as it directly promotes the sale of children, child prostitution and child pornography,

Recognizing that a number of particularly vulnerable groups, including girl children, are at greater risk of sexual exploitation, and that girl children are disproportionately represented among the sexually exploited,

Concerned about the growing availability of child pornography on the Internet and other evolving technologies, and recalling the International Conference on Combating Child Pornography on the Internet (Vienna, 1999) and, in particular, its conclusion calling for the worldwide criminalization of the production, distribution, exportation, transmission, importation, intentional possession and advertising of child pornography, and stressing the importance of closer cooperation and partnership between Governments and the Internet industry,

Believing that the elimination of the sale of children, child prostitution and child pornography will be facilitated by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structure, dysfunctioning families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking of children,

Believing that efforts to raise public awareness are needed to reduce consumer demand for the sale of children, child prostitution and child pornography, and in the importance of strengthening global partnership among all actors and of improving law enforcement at the national level,

Noting the provisions of international legal instruments relevant to the protection of children, including the Hague Convention on the Protection of Children and Cooperation with Respect to Inter-Country Adoption, the Hague Convention on the Civil Aspects of International Child Abduction, the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children and International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,

Encouraged by the overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists for the promotion and protection of the rights of the child,

Recognizing the importance of the implementation of the provisions of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and the Declaration and Agenda for Action adopted at the 1996 World Congress against the Commercial Sexual Exploitation of Children and the other relevant decisions and recommendations of pertinent international bodies,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Have agreed as follows:

Article 1

States Parties shall prohibit the sale of children, child prostitution and child pornography as provided for by the present Protocol.

Article 2

For the purpose of the present Protocol:

Sale of children

(a) Sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration;

Child prostitution

(b) Child prostitution means the use of a child in sexual activities for remuneration or any other form of consideration;

Child pornography

(c) Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child, the dominant characteristic of which is depiction for a sexual purpose.

Article 3

1. Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether these offences are committed domestically or transnationally or on an individual or organized basis:

(a) In the context of sale of children as defined in article 2 (a):

(i) The offering, delivering, or accepting, by whatever means, a child for the purpose of:

a. Sexual exploitation of the child;

b. Transfer of organs of the child for profit;

c. Engagement of the child in forced labour;

(ii) Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption;

(b) Offering, obtaining, procuring or providing a child for child prostitution, as defined in article 2 (b);

(c) Producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes, child pornography as defined in article 2 (c).

2. Subject to the provisions of a State Party's national law, the same shall apply to an attempt to commit any of these acts and to complicity or participation in any of these acts.

3. Each State Party shall make these offences punishable by appropriate penalties which take into account their grave nature.

4. Subject to the provisions of its national law, each State Party shall take measures, where appropriate, to establish the liability of legal persons for offences established in paragraph 1 of the present article. Subject to the legal principles of the State Party, this liability of legal persons may be criminal, civil or administrative.

5. States Parties shall take all appropriate legal and administrative measures to ensure that all persons involved in the adoption of a child act in conformity with applicable international legal instruments.

Article 4

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3.1, when the offences are commited in its territory or on board a ship or aircraft registered in that State.

2. Each State Party may take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3.1 in the following cases:

(a) When the alleged offender is a national of that State or a person who has his habitual residence in its territory;

(b) When the victim is a national of that State.

3. Each State Party shall also take such measures as may be necessary to establish its jurisdiction over the above-mentioned offences when the alleged offender is present in its territory and it does not extradite him to another State Party on the ground that the offence has been committed by one of its nationals.

4. This Protocol does not exclude any criminal jurisdiction exercised in accordance with internal law.

Article 5

1. The offences referred to in article 3.1 shall be deemed to be included as extraditable offences in any extradition treaty existing between States Parties and shall be included as extraditable offences in every extradition treaty subsequently concluded between them, in accordance with the conditions set forth in these treaties.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Protocol as a legal basis for extradition in respect of such offences. Extradition shall be subject to the conditions provided by the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize such offences as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. Such offences shall be treated, for the purpose of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territories of the States required to establish their jurisdiction in accordance with article 4.

5. If an extradition request is made with respect to an offence described in article 3.1 and if the requested State Party does not or will not extradite, on the basis of the nationality of the offender, that State shall take suitable measures to submit the case to its competent authorities for the purpose of prosecution.

Article 6

1. States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3.1, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. States Parties shall carry out their obligations under paragraph 1 of the present article in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.

Article 7

States Parties shall, subject to the provisions of their national law:

(a) Take measures to provide for the seizure and confiscation, as appropriate, of:

(i) Goods such as materials, assets and other instrumentalities used to commit or facilitate offences under the present protocol;

(ii) Proceeds derived from such offences;

(b) Execute requests from another State Party for seizure or confiscation of goods or proceeds referred to in subparagraph (i);

(c) Take measures aimed at closing, on a temporary or definitive basis, premises used to commit such offences.

Article 8

1. States Parties shall adopt appropriate measures to protect the rights and interests of child victims of the practices prohibited under the present Protocol at all stages of the criminal justice process, in particular by:

(a) Recognizing the vulnerability of child victims and adapting procedures to recognize their special needs, including their special needs as witnesses;

(b) Informing child victims of their rights, their role and the scope, timing and progress of the proceedings and of the disposition of their cases;

(c) Allowing the views, needs and concerns of child victims to be presented and considered in proceedings where their personal interests are affected, in a manner consistent with the procedural rules of national law;

(d) Providing appropriate support services to child victims throughout the legal process;

(e) Protecting, as appropriate, the privacy and identity of child victims and taking measures in accordance with national law to avoid the inappropriate dissemination of information that could lead to the identification of child victims;

(f) Providing, in appropriate cases, for the safety of child victims, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;

(g) Avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting compensation to child victims.

2. States Parties shall ensure that uncertainty as to the actual age of the victim shall not prevent the initiation of criminal investigations, including investigations aimed at establishing the age of the victim.

3. States Parties shall ensure that, in the treatment by the criminal justice system of children who are victims of the offences described in the present Protocol, the best interest of the child shall be a primary consideration.

4. States Parties shall take measures to ensure appropriate training, in particular legal and psychological, for the persons who work with child victims of the offences prohibited under the present Protocol.

5. States Parties shall, in appropriate cases, adopt measures in order to protect the safety and integrity of those persons and/or organizations involved in the prevention and/or protection and rehabilitation of child victims of such offences.

6. Nothing in the present article shall be construed as prejudicial to or inconsistent with the rights of the accused to a fair and impartial trial.

Article 9

1. States Parties shall adopt or strengthen, implement and disseminate laws, administrative measures, social policies and programmes, to prevent the offences referred to in the present Protocol. Particular attention shall be given to protect children who are especially vulnerable to these practices.

2. States Parties shall promote awareness in the public at large, including children, through information by all appropriate means, education and training, about the preventive measures and harmful effects of the offences referred to in the present Protocol. In fulfilling their obligations under this article, States Parties shall encourage the participation of the community and, in particular, children and child victims, in such information and education and training programmes, including at the international level.

3. States Parties shall take all feasible measures with the aim of ensuring all appropriate assistance to victims of such offences, including their full social reintegration and their full physical and psychological recovery.

4. States Parties shall ensure that all child victims of the offences described in the present Protocol have access to adequate procedures to seek, without discrimination, compensation for damages from those legally responsible.

5. States Parties shall take appropriate measures aimed at effectively prohibiting the production and dissemination of material advertising the offences described in the present Protocol.

Article 10

1. States Parties shall take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism. States Parties shall also promote international cooperation and coordination between their authorities, national and international non-governmental organizations and international organizations.

2. States Parties shall promote international cooperation to assist child victims in their physical and psychological recovery, social reintegration and repatriation.

3. States Parties shall promote the strengthening of international cooperation in order to address the root causes, such as poverty and underdevelopment, contributing to the vulnerability of children to the practices of sale, prostitution, pornography and child sex tourism.

4. States Parties in a position to do so shall provide financial, technical or other assistance through existing multilateral, regional, bilateral or other programmes.

Article 11

Nothing in the present Protocol shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State Party;

(b) International law in force for that State.

Article 12

1. Each State Party shall submit, within two years following the entry into force of the Protocol for that State Party, a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Protocol.

2. Following the submission of the comprehensive report, each State Party shall include in the reports they submit to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, any further information with respect to the implementation of the Protocol. Other States Parties to the Protocol shall submit a report every five years.

3. The Committee on the Rights of the Child may request from States Parties further information relevant to the implementation of this Protocol.

Article 13

1. The present Protocol is open for signature by any State which is a party to the Convention or has signed it.

2. The present Protocol is subject to ratification or open to accession by any State which is a party to the Convention or has signed it. Instruments of ratification

or accession shall be deposited with the Secretary-General of the United Nations.

Article 14

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after its entry into force, the present Protocol shall enter into force one month after the date of the deposit of its own instrument of ratification or accession.

Article 15

1. Any State Party may denounce the present Protocol at any time by written notification to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the Convention and all States which have signed the Convention. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General of the United Nations.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under this Protocol in regard to any offence which occurs prior to the date at which the denunciation becomes effective. Nor shall such a denunciation prejudice in any way the continued consideration of any matter which is already under consideration by the Committee prior to the date at which the denunciation becomes effective.

Article 16

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments which they have accepted.

Article 17

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States Parties to the Convention and all States which have signed the Convention.

65th meeting
26 April 2000

United Nations E/2000/43

Economic and Social Council

Distr.: General
1 May 2000

Original: English

Resumed organizational session for 2000
3 and 4 May 2000
Agenda item 2
Adoption of the agenda and other organizational matters

Letter dated 27 April 2000 from the Chairman of the fifty-sixth session of the Commission on Human Rights addressed to the President of the Economic and Social Council

I should like to refer to Economic and Social Council decision 1999/256 of 27 July 1999, in particular paragraph (b) (i) approving the recommendation of the Commission that the Council include in its resumed organizational session consideration of any proposals regarding special procedures or mandates adopted at the annual session of the Commission.

The Commission on Human Rights adopted the following proposals regarding special procedures or mandates at its fifty-sixth session:

(a) In resolution 2000/82 entitled "Effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights", the Commission decided to merge the mandates of the independent expert on structural adjustment policies and the Special Rapporteur on the effects of foreign debt thus creating a post of an independent expert on structural adjustment and foreign debt;

(b) In resolution 2000/9 entitled "Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights" the Commission decided to appoint for a period of three years a special rapporteur whose mandate will focus on adequate housing as a component of the right to an adequate standard of living;

(c) In resolution 2000/10 entitled "The right to food" the Commission decided to appoint for a period of three years a special rapporteur on the right to food;

(d) In resolution 2000/61 entitled "Human rights defenders", the Commission decided to request the Secretary-General to appoint, for a period of three years, a special representative who shall report on the situation of human

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rights defenders in all parts of the world and on possible means to enhance their protection;

(e) In the annex to decision 2000/109, the Commission recommended a procedure for dealing with communications concerning human rights.

The annual report of the Commission on Human Rights will duly reflect that those proposals have already been acted upon, if they are adopted by the Council.

I would request that the present letter be circulated as a document of the Economic and Social Council.

(*Signed*) Shambhu Ram **Simkhada**
Chairman of the fifty-sixth session of the Commission
on Human Rights

United Nations A/54/855–E/2000/44

General Assembly
Economic and Social Council

Distr.: General
3 May 2000

Original: English

General Assembly
Fifty-fourth session
Agenda items 24, 31, 35, 39, 46, 58, 70, 73, 76 (f), (m) and (o), 81, 97, 98 (a), 99 (a), (d), (e) (f) and (g), 100, 105, 108, 110, 111, 112, 114, 116 (a), 158, 160 and 165

Return or restitution of cultural property to the countries of origin

Cooperation between the United Nations and the Organization of African Unity

Assistance in mine action

Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

Causes of conflict and the promotion of durable peace and sustainable development in Africa

Launching of global negotiations on international economic cooperation for development

African Nuclear-Weapon-Free Zone Treaty

Establishment of a nuclear-weapon-free zone in the region of the Middle East

General and complete disarmament: small arms; nuclear-weapon-free southern hemisphere and adjacent areas; illicit traffic in small arms

Strengthening of security and cooperation in the Mediterranean region

Macroeconomic policy questions

Sectoral policy questions: industrial development cooperation

Economic and Social Council
Substantive session of 2000
5 July-1 August 2000
Items 4, 5, 13 (a), 14 (a), (b), (d), (e), (f) and (g) of the provisional agenda*

Coordination of the policies and activities of the specialized agencies and other bodies of the United Nations system

Special economic, humanitarian and disaster relief assistance

Economic and environmental questions: sustainable development

Social and human rights questions: advancement of women; social development; narcotic drugs; United Nations High Commissioner for Refugees; implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination; human rights

* E/2000/100.

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Sustainable development and international economic cooperation: implementation of the commitments and policies agreed upon in the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, and implementation of the International Development Strategy for the Fourth United Nations Development Decade; human resources development; international migration and development, including the question of the convening of a United Nations conference on international migration and development to address migration issues; implementation of the Programme of Action for the Least Developed Countries for the 1990s; renewal of the dialogue on strengthening international economic cooperation for development through partnership

Environment and sustainable development

Implementation of the first United Nations Decade for the Eradication of Poverty (1997-2006)

International drug control

Implementation of the outcome of the Fourth World Conference on Women

Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Promotion and protection of the rights of children

Elimination of racism and racial discrimination

Human rights questions: implementation of human rights instruments

Establishment of the International Criminal Court

Measures to eliminate international terrorism

Commemoration of the tenth anniversary of the Convention on the Rights of the Child

Letter dated 27 April 2000 from Permanent Representatives of Algeria, Egypt and Portugal to the United Nations addressed to the Secretary-General

On behalf of the Governments of the Arab Republic of Egypt, the Democratic People's Republic of Algeria and Portugal in their capacities as host of the Africa-European Union Summit, current Chairman of the Organization of African Unity and President of the European Union respectively, we have the honour to enclose herewith the Cairo Declaration and the Cairo Plan of Action adopted by the Africa-European Union Summit, held in Cairo on 3 and 4 April 2000 under the aegis of the Organization of African Unity and the European Union (see annexes).*

We should be grateful if the present letter and its annexes could be circulated as a document of the General Assembly, under agenda items 24, 31, 35, 39, 46, 58, 70, 73, 76 (f), (m) and (o), 81, 97, 98 (a), 99 (a), (d), (e), (f) and (g), 100, 105, 108, 110, 111, 112, 114, 116 (a), 158, 160 and 165, and of the Economic and Social Council, under items 4, 5, 13 (a) and 14 (a), (b), (d), (e), (f) and (g) of the provisional agenda.

(Signed) Abdallah **Baali**
Ambassador, Permanent Representative of Algeria

(Signed) Ahmed **Aboul Gheit**
Ambassador, Permanent Representative of the Arab Republic of Egypt

(Signed) Antonio **Monteiro**
Ambassador, Permanent Representative of Portugal

* The annexes are being circulated in the languages of submission only.

Annex I to the letter dated 27 April 2000 from the Permanent Representatives of Algeria, Egypt and Portugal to the United Nations addressed to the Secretary-General

[Original: Arabic, English and French]

Africa-Europe Summit under the aegis of the Organization of African Unity and the European Union
Cairo, 3 and 4 April 2000

Cairo Declaration

I. INTRODUCTION

We, the Heads of State and Government of African States and of the European Union as well as the President of the European Commission, have met in the First Africa - Europe Summit under the Aegis of the OAU and EU, in Cairo, Arab Republic of Egypt, at the kind invitation of His Excellency Mohammed Hosni Mubarak, President of the Arab Republic of Egypt, under the Co-Presidency of the President of Algeria, His Excellency Abdelaziz Bouteflika, in his capacity as Chairman of the OAU, and the Prime Minister of Portugal, His Excellency António Guterres, in his capacity as President of the European Council.

The Secretary General of the OAU, and the Secretary General of the Council of the European Union/High Representative for the Common Foreign and Security Policy also participated in the Summit. A representative of the Secretary General of the United Nations attended the Summit.

We solemnly declare that:

1. Over the centuries, ties have existed between Africa and Europe, which have led to many areas of co-operation, covering political, economic, social, as well as cultural and linguistic domains. These have developed on the basis of shared values of strengthening representative and participatory democracy, respect for human rights and fundamental freedoms, the rule of law, good governance, pluralism, international peace and security, political stability and confidence among nations. In the light of the current rapid globalisation trend, We are determined to strengthen this co-operation in our mutual interest and make it more beneficial to the two regions.

In order to give a new strategic dimension to the global partnership between Africa and Europe for the Twenty First Century, in a spirit of equality, respect, alliance and co-operation between our regions, We are committed to the basic objective of strengthening the already existing links of political, economic and cultural understanding through the creation of an environment and an effective framework for promoting a constructive dialogue on economic, political, social and development issues.

II. REGIONAL ECONOMIC CO-OPERATION AND INTEGRATION

2. We stress the importance of regional economic co-operation and integration as an efficient strategy for the orderly and co-ordinated development of the African continent. We recognise the important interrelation between political stability, peace and security on one hand and regional integration on the other. We commend the leaders of the African continent for adopting a number of declarations, plans and programmes, as well as treaties which constitute an appropriate framework for the collective promotion of the development of their countries, which include the Lagos Plan of Action and the Final Act of Lagos of 1980, and the Treaty Establishing the African Economic Community of 1991 (the Abuja Treaty), which came into force in May 1994, and the Sirte Declaration adopted at the OAU Extraordinary Summit, Libya in September 1999, on the African Union.

3. We note the progress made in regional integration in Europe and in Africa and recognise that regional integration can be an important step towards beneficial participation in the world economy. We welcome the decision taken at the OAU Extraordinary Summit on the African Union in Sirte, Libya in September 1999 to realise the African commitment to regional integration and to consolidate and strengthen the regional economic communities as the building blocks for achieving the objectives of the African Economic Community.

4. We note the efforts to establish an Euro-Mediterranean Free Trade Area and, in the framework of the just concluded ACP-EU Partnership Agreement, to create integrated economic areas between the EU and Africa, consistent with the objective of enhancing the economic integration of Africa. In addition, the priorities for action adopted by the Summit will be promoted through the current ministerial discussions between the European Union and the African countries in the framework of the new ACP-EU Partnership Agreement and the Barcelona Process. These discussions will maintain their present format and regularity.

5. We stress the need to promote close co-operation between the EU and African regional integration institutions, notably the African Economic Community (AEC), in the context of facilitating the sharing of experiences and institutional strengthening of the AEC and the regional economic communities (RECs). In that regard, it is worth recalling the OAU document: Relaunching Africa's Economic and Social Development: The Cairo Agenda for Action of 1995.

III. INTEGRATING AFRICA INTO THE WORLD ECONOMY

Trade

6. We welcome the progress made in recent years towards more outward-oriented economies by a large number of African countries and we pledge our support to these policies, in such a way as to encourage competitive advantages, economic growth, sustainable development and social stability in Africa.

7. We recall that Africa and the EU have traditionally been important trade partners and We affirm our commitment to strengthen this partnership by removing progressively barriers to trade between both sides, including non-tariff barriers, and enhancing co-operation in all trade related areas, building on regional integration initiatives existing within Africa and in line with the goals and objectives of the Abuja Treaty with a view to ensuring the further development of Africa's economic and industrial potential. With respect to African Least Developed Countries, We recognise the need for enhanced market access for essentially all their products on a duty-free and quota-free basis.

8. We agree to address difficulties, which may emanate from the application of sanitary and phytosanitary measures, anti-dumping and countervailing duties against the products of African countries.

9. We confirm that the current trend towards liberalisation and globalisation poses serious challenges to African countries in an era of a continuous decline in Africa's share of world trade. We agree on the need to define policies that maximise the benefits from further world trade liberalisation for African countries and that reverse the present trend of marginalisation that African countries are experiencing in the world economy.

10. We reaffirm our commitment to trade liberalisation in the framework of a rules-based multilateral trading system from which all nations should benefit. We recommend to all countries, which are not yet members of the WTO, to consider such membership. We are convinced that a new round of multilateral trade negotiations should take account of the particular constraints of developing countries, including those in Africa, and allow for their smooth and gradual integration into the world economy. In this context, We agree to co-operate so as to ensure that in the framework of multilateral trade negotiations special attention is paid to products, including processed agricultural products, which are of export interest to developing countries, in particular Africa.

11. We underline the importance of special and differential treatment for developing countries, particularly in Africa, within the WTO and the need for the effective implementation for such measures. In this context, We support the call for special consideration to be given to countries facing sudden unforeseeable critical economic situations.

12. We underline the need for African countries for a comprehensive assistance in the area of diversification, both vertical and horizontal, which is instrumental to enhance their effective participation in the new international trade system. We agree to identify and take proactive measures to enable Africa build its production and supply capacities and to support Africa's efforts to make its exports more competitive.

Private Sector Development

13. We recognise that the private sector has been identified as the engine of growth and that it requires domestic and foreign private investment flows for sustainable growth. Accordingly, We commit ourselves to the creation of a conducive environment in Africa for an enhanced private sector development, including macro and micro economic foundations of competitiveness.

14. We consider that in order to ensure sustainable development, an improved public-private sector dialogue will have to take place, to better define their respective roles and responsibilities in economic, social and environmental development, and to involve the business community in the implementation of productive oriented activities.

15. We also support the institution of effective programmes for the accelerated development and strengthening of the domestic private sector in Africa through capacity building measures.

16. While recognising the role of the private sector, We are equally committed to strengthening the public sector to create the necessary enabling environment for sustainable development.

Investment

17. We are deeply concerned about the decline of foreign investment flows to Africa, especially those of private origin.

18. We acknowledge that African countries have continued to reform their economies and provided attractive investment codes for promoting investment flows. We encourage them to further their efforts to that effect.

19. We reiterate the need for closer co-operation to fight against capital flight from Africa, especially to offshore financial centres.

20. We agree to encourage foreign direct investment (FDI) in Africa and to promote Europe-Africa co-operation in this field.

21. We recognise the importance of enhancing South-South co-operation through triangular mechanisms, building capacity in business management, exchange of experience, as well as support for joint ventures, mergers and acquisitions.

Resources for Development

22. We welcome the commitments to sustain the ODA flows to Africa, and to provide debt relief with a view to releasing additional resources for poverty reduction strategies.

23. We reaffirm the role of macroeconomic stability as a fundamental precondition for mobilising both domestic and international financial resources. Only stable, predictable and equitable macro-economic policies, in conjunction with necessary structural reforms, can create a climate conducive to economic growth. We recognise the important achievements realised on this front in many countries in recent years as decreasing inflation rates and the better trends of growth presently show.

24. We encourage all partners of development co-operation, donors as well as beneficiaries, to organise their development assistance more effectively, to work for enhanced co-ordination and complementarity, inter alia, by harmonising and simplifying procedures.

25. We recognise that concessionary resources (of the ODA type) are required in order to address as a priority, the structural rigidities that constrain Africa's development effort, especially the development of human resources capacities and poverty alleviation as well as in the expansion of physical infrastructure and production capacities.

26. In this context, We recognise that financial resources commensurate with the needs for Africa's development are required and that sustained efforts should continue to be made to create the necessary conditions for increasing Foreign Direct Investment and mobilising external and internal resources, in particular of private origin. Consequently and on that basis, We agree that efforts should be intensified with a view to meeting the internationally agreed targets for development oriented resource transfers.

Infrastructural Problems and Industrial Base

27. We note that the infrastructural problems facing Africa, particularly in the areas of transport, communications energy, and water supply have been major constraints on the continent's growth and development. We agree that the inadequacy of domestic and foreign resources for the building, maintenance and up-grading of required infrastructure and networks are at the root of this problem, and therefore We have to intensify our efforts to enhance the flow of domestic and foreign resources, including those on concessional terms and to promote the effective use of new financial arrangements, with the involvement of the private sector.

28. We note, with serious concern, that at the start of the Twenty-First Century, Africa's industrial and technological base is either non-existent or weak. In view of the critical role that industrial development should play in Africa's integration into the global economy, We agree to support more effectively the continent's industrial development efforts, so as to increase its competitiveness.

Research and Technology

29. We recognise that knowledge, research and technology underpin all development efforts. Integration into the world economy, the fight against poverty and the protection of the environment require improved access to and use of knowledge and technologies.

30. We acknowledge that for Africa to meet the challenges of globalisation and attain sustainable development, the strengthening of its technological capacity especially in such areas as information technology, education, and technology information centres is critical.

31. We will promote, in the context of globalisation and the progress of the information society, new forms of dialogue and scientific and technological co-operation, as well as trade in services as important factors for closer economic ties between both regions. In this regard, special attention shall be given to building and strengthening the institutional infrastructure to enhance technological transfers and development in Africa.

External Debt

32. We observe with deep concern that in spite of various efforts to address the debt crisis at the national, regional and international levels, Africa's external debt has grown at a very high rate. It has grown by about 12 percent per annum from about 110 billion US Dollars in 1980 to about 350 billion US Dollars since then.

33. We acknowledge with concern that one of the consequences is that Africa is having less access to private capital markets and has suffered a fall in investors' confidence which has had a negative impact on economic growth, sustainable development and poverty eradication on the continent.

34. We also consider that the existing measures and mechanisms aiming at the alleviation of the African debt overhang shall be appropriately evaluated as far as their modalities and implementation are concerned taking into account their impact on all African needs, especially those of middle income countries with regard to their debt servicing capacity and eventually find equitable solutions. We wish therefore to see a more determined and constructive involvement of all creditors in bilateral and multilateral initiatives.

35. We welcome the recent enhancement of the Heavily Indebted Poor Country (HIPC) initiative, which was launched in 1996, as well as measures taken by EU Member States, with the aim of helping to relieve the debt burden of the poorest countries committed to fighting poverty and are pursuing economic reform programmes. We acknowledge the decision taken at the G-7 Cologne summit and the annual meeting of the IMF and IBRD to provide faster, deeper and broader debt relief to the countries belonging to the HIPC group. We call upon donors to swiftly translate pledges into actual commitments.

36. We welcome the decision to allocate 1 billion Euros out of the European Development Fund for debt relief in the framework of the Enhanced HIPC initiative and note that African countries will be the main beneficiaries of this decision. This initiative will provide additional resources for poverty reduction strategies. We also welcome bilateral contributions to the HIPC initiative.

37. We call on all creditors involved in the HIPC initiative to take the necessary action to allow for them to provide for their proportional share of debt relief in a timely fashion. Debt relief must be accompanied by sufficient efforts concerning official development assistance.

38. We acknowledge that the success of any debt relief initiatives depends on the implementation of the necessary economic reform measures, and in this regard We encourage the African countries to continue to implement such reforms, to institute good governance and to commit themselves to ring-fencing savings from debt relief for poverty alleviation, including the improvement of the social sectors and the rehabilitation of infrastructures. In this context, We commit ourselves to the globally agreed target of poverty reduction by half by the year 2015.

39. We take note of the Sirte Declaration of 9 September 1999 that mandated the Presidents of Algeria and South Africa to engage Africa's creditors with the objective of achieving the total cancellation of Africa's external debt.

40. We note the African position on the issue of external debt, which seeks debt relief and cancellation for all indebted African countries in order to create an enabling environment for sustainable development. In this regard, We agree to intensify our co-operation dialogue both among ourselves and with other creditors.

Co-operation in International Fora

41. We are determined to work together for the improvement of international understanding and co-operation for development and human progress. We reaffirm our commitment to co-operate closely in identifying and furthering common interests in international organisations, major global conferences and fora. We reaffirm the importance of working towards the attainment of the goals and objectives adopted in major international conferences organised under the United Nations' auspices.

IV. HUMAN RIGHTS, DEMOCRATIC PRINCIPLES AND INSTITUTIONS, GOOD GOVERNANCE AND THE RULE OF LAW

Human Rights

42. We reaffirm that democratisation, development and the protection of fundamental freedoms and human rights are inter-related and mutually reinforcing.

43. We reaffirm our commitment to promote and protect all human rights including the right to development and fundamental freedoms taking into account their universal, interdependent and indivisible character, as confirmed by our commitment to the Charter of the United Nations and the Universal Declaration on Human Rights. We acknowledge that the responsibility and accountability for establishing and maintaining such an environment lies primarily with the Governments concerned and requires the broad participation of civil society. We support the endeavour to improve the national capacities to promote and protect all human rights.

44. We express our deepest concern over the massive violations of human rights and humanitarian law, and, in particular, the phenomena of racism, genocide and ethnic cleansing. We condemn all such acts and pledge to co-operate with relevant institutions set up to prosecute and try the perpetrators.

45. We welcome the signing of the Rome Treaty establishing the International Criminal Court with a view to prosecuting crimes against humanity, genocide and war crimes. We urge all States to sign and ratify the Statute.

46. We welcome the holding of the UN Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance, to take place in South Africa in 2001, and the holding of the Regional Conference in Senegal.

47. We also welcome the adoption of the Grand Bay Declaration and Plan of Action on Human Rights in Africa, as well as the adoption of the Protocol establishing an African Court for Human and People's Rights, which complements the African Commission on Human and People's Rights.

48. We underline the need to combat gender based discrimination and violations against the rights of women in all forms, thus honouring the Beijing Platform of Action and the UN Convention on the Elimination of All Forms of Discrimination Against Women and We agree to include a gender perspective into policies and programmes, where appropriate, in particular in education and awareness raising, as well as on the need for legislative action.

49. We reiterate our firm commitment and the particular importance that needs to be placed on the protection and promotion of the rights of the child in accordance with the UN Convention on the rights of the child. We will support the ongoing work in the United Nations on additional protocols on the Rights of the Child. We also welcome the African Charter on the Rights and Welfare of the Child.

Democratic Principles and Institutions

50. We reaffirm our commitment to continue to consolidate democracy in our countries. We recognise the right of sovereign states to establish their own constitutional arrangements and to institute their own administrative structures according to their history, culture, tradition and social and ethnic composition.

51. We recognise the need to consolidate democratic principles, based on the rights of all citizens, men and women, to freely choose their political leaders through free and fair periodic elections, as well as the need for the existence of an appropriate constitutional, legislative and regulatory system.

52. We condemn all anti-democratic forms of accession to power, and reaffirm the supreme and inalienable right of our people to fully participate in the process of government, through their democratically elected representatives. We welcome the decision adopted by the OAU at the OAU Summit in Algiers in July 1999 on unconstitutional changes of government in Africa.

53. We reaffirm our attachment to the principles of good governance and rule of law. In our endeavour to promote good governance and rule of law, We express our determination, inter alia, to prevent and combat all forms of corruption in our countries.

Civil Society

54. We recognise the need to provide for greater inclusion of civil society in all areas of our Partnership. In this context We emphasise the need for greater participation of the citizen in decision-making concerning the management and allocation of resources, whilst respecting the diverse and complementary roles of the State, decentralised local authorities and the other society actors concerned.

Migration

55. We acknowledge that a comprehensive and integrated approach is needed to tackle the issue of migration and the separate but related issue of asylum, and will co-operate in this field. The loss of skilled migrants from Africa constitutes a continental brain-drain problem. We underline the need for co-operation to address the root causes of migration both in countries of origin and transit and in recipient countries.

56. We support the principle of Free Movement of Persons in the spirit of the Abuja Treaty, which encourages OAU Member States to adopt employment policies that allow the free movement of persons within the African Economic Community through the establishment and strengthening of labour exchanges that ensure optimal redistribution of skilled manpower.

Xenophobia

57. We express our deep concern over the phenomenon of xenophobia. It is agreed that the African and the European states will further collaborate on the issue of the reciprocal integration of migrants as well as on migrants' rights and xenophobia.

58. We recognise the need for measures to secure the respect, the dignity and protection of migrants' rights, to which they are entitled under agreed international conventions.

Refugees and Internally Displaced Persons (IDP)

59. We note with concern the increasingly large numbers of refugees and IDPs in Africa and the problems that have been encountered by host countries, as a result of the influx of 6 million refugees and about 20 million internally displaced persons on the continent. We reaffirm our will to continue to provide substantial assistance to those refugees and internally displaced persons, and to support their repatriation and reintegration, in conformity with international humanitarian law and, more specifically, using relevant OAU Conventions as an important guide in addressing the specific aspects of refugee problems in Africa.

60. We emphasise the role of the UNHCR and human rights organisations, and the right of asylum seekers to protection.

61. We condemn the systematic tactic by parties to armed conflicts of displacing the civilian population. We affirm the principle that in order to enhance their own security as well as that of humanitarian personnel, efforts should be made to locate refugees at a reasonable distance from international borders in camps of limited size. We support all efforts by UNHCR and other relevant actors to safeguard the civilian and humanitarian character of such refugee camps.

V. PEACE-BUILDING, CONFLICT PREVENTION, MANAGEMENT AND RESOLUTION

62. We reaffirm our commitment to the principles contained in the Charter of the UN, Article 2, notably the principles of sovereign equality, territorial integrity, political independence and non-intervention in internal affairs. We acknowledge that the parties concerned bear the primary responsibility for preventing, managing and resolving internal armed conflicts. We also reaffirm that the UN Security Council has the primary responsibility for the maintenance of international peace and security.

63. We reaffirm our commitment to settle disputes by peaceful means, and to renounce recourse to the threat or use of force in any manner inconsistent with the UN Charter, or against the national territory of another State, including the acquisition of territory by force. We stress the importance of facilitating the return to non-violent, stable and self-sustaining situations. We believe that effective policies of peace-building and conflict prevention necessitate the establishment of an international culture of prevention.

64. We recognise that peace, security, stability and justice are essential prerequisites for socio-economic development. We commend and fully support the efforts being deployed by the OAU, including those aimed at strengthening its Mechanism for Conflict Prevention, Management and Resolution, to promote and sustain peace, security and stability in Africa.

65. We underline that further efforts are needed to prevent violent conflict at the earliest stages by addressing their root-causes in a targeted manner and with an adequate combination of all available instruments. We further recognise the need to strengthen the international capacity for early response and the ability of regional and international organisations to take immediate action to prevent further conflicts when noting signs of rising tensions.

66. We welcome the Algiers Summit Decision proclaiming the year 2000 as year of peace and security. We also welcome the Sirte Summit decision to convene an African Ministerial Conference on Security, Stability, Development and Co-operation on the Continent, to be held in Abuja, Nigeria, in May 2000.

67. We are committed to fully implementing international humanitarian law and call upon all parties to armed conflict to respect and ensure respect of international humanitarian law. This includes protection of civilian populations affected by armed conflicts, as enshrined in international agreements. We are also committed to ensuring the security of relief workers, to facilitate access to populations in need and to eliminate any hurdles for humanitarian agencies.

Post-conflict Assistance and Disarmament, Demobilisation and Reintegration

68. We agree that the main objective in post-conflict situations must be to help countries in crisis to end dependency on emergency aid and return to a path of development. We acknowledge the need in post-conflict situations for urgent disarmament, demobilisation and reintegration of ex-combatants, in particular child soldiers. We also recognise that problems such as environmental consequences of conflicts must be addressed in a comprehensive integrated framework.

69. We will continue to collaborate in developing and providing our financial support for programmes of disarmament, demobilisation and reintegration; in particular, to provide vocational training to former and demobilised combatants. This could be associated with the development of programmes for the effective management and the eventual destruction of accumulated small arms and light weapons.

Terrorism

70. We reaffirm our unreserved condemnation of terrorism in all its forms, wherever and whenever it occurs, whatever its motives and origin, our opposition to making concessions to terrorist demands and our determination to prevent those committing terrorist crimes from deriving any benefit whatsoever from their acts.

71. We express our deep concern over the scope and seriousness of the phenomenon of terrorism and the dangers it poses to the stability and the security of our states and to the physical integrity of our people. We reiterate that terrorism constitutes a serious violation of human rights and impedes socio-economic development through destabilisation of our states. We express our conviction that terrorism cannot be justified under any circumstances. We express our determination to eliminate terrorism in all its forms and manifestations. In so doing, We will be guided by the principles of international law and UN relevant conventions. We welcome the OAU Convention on the Prevention and Combating of Terrorism, adopted by the 35th OAU Summit in Algiers in July 1999.

72. We welcome the Egyptian initiative supported by the OAU Summit in Algiers, to convene a UN Summit to address this dangerous phenomenon.

73. We will strengthen our co-operation in preventing and combating terrorism, guided by the principles of international law and relevant conventions.

Small Arms and Light Weapons

74. We are deeply concerned by the huge influx of arms and military equipment to conflict areas. We acknowledge that the illicit, excessive and destabilising accumulation and uncontrolled spread of small arms and light weapons poses a threat to peace and security on the African continent. We are committed to address the problem of small arms in Africa, taking into account the supply side, and to destroy stocks of such arms and weapons. In this regard, We pledge to fully co-operate at international fora, to combat the problem of illicit trafficking and proliferation of small arms and light weapons.

75. We welcome the International UN Conference on the Illicit Trade of Small Arms and Light Weapons in all its Aspects, to be held in 2001. We also welcome the initiatives taken at the regional level, in particular, the ECOWAS moratorium on the import, export and manufacture of light weapons in its sub-region, similar SADC and East African initiatives, as well as the setting up of an EU-SADC joint working group on small arms.

Landmines

76. We express our deep concern over the problem of landmines and renew our commitment to resolving it.

77. The parties to the Ottawa Convention on the Prohibition of Use, Stockpiling, Transport and Production of Anti-Personnel Landmines and on their Destruction welcome the convening of the first Continental Conference of African Experts on Landmines in South Africa in May 1997. They also welcome the Maputo Declaration that concluded the first meeting of the States Parties held in Mozambique in May 1999.

78. We will pursue our efforts within the framework of the CCW (Certain Conventional Weapons) and the protocols annexed thereto as well as the Ottawa Convention, and will continue to do so within all other relevant international, regional and sub-regional fora.

79. In this regard, We stress the need for intensifying efforts in the fields of mines clearance, assistance thereto, as well as with respect to mine victims and mine awareness.

80. We will continue to co-operate towards a comprehensive resolution of the landmine problem in Africa, in particular by addressing the issue of the removal of existing landmines. We call on those states in a position to do so, in particular States involved in the deployment of mines, to provide the necessary technical and financial assistance for landmine clearance operations and rehabilitation of victims.

The 2000 Review Conference of the NPT

81. We reiterate our common commitment to contribute to the strengthening of the non-proliferation regime and nuclear disarmament.

82. The 2000 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons will be an important milestone to assess the progress achieved during the past five years in the implementation of the Treaty. In this regard, We emphasise the importance of the three decisions and one resolution adopted by the 1995 Review and Extension Conference.

83. We stress our intent to work closely in order to conduct a comprehensive review of the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons with a view to achieving a successful outcome of the 2000 Review Conference, bearing in mind the fundamental importance of the three decisions and the resolution adopted by the 1995 Review and Extension Conference, and considering the peaceful use of nuclear technologies and the establishment of new nuclear weapon free zones, in accordance with the relevant UNGA resolutions, among the States of the region concerned.

84. We emphasise the importance of the PELINDABA Treaty signed in Cairo, establishing the African continent as a nuclear weapon free zone.

Conflicts in Africa

85. We note with great concern the persistence of numerous conflicts in Africa, which continue to cause in a great number of them loss of human life as well as destruction of infrastructure and property. These conflicts threaten peace, stability, regional and international security and hinder the aspirations of African peoples to peace, prosperity and development, in particular in Angola, Burundi, Comoros, Democratic Republic of Congo, Ethiopia/Eritrea, Sierra Leone, Somalia, Sudan and Western Sahara.

86. In this regard, We reaffirm our determination to support the rapid and equitable implementation of the peace plans and settlement plans adopted by the UN and/or the OAU, as well as the efforts of the UN and the OAU, with a view to finding peaceful and durable solutions to all conflicts, in accordance with principles of international law, UN Charter and, where appropriate, relevant UN Security Council Resolutions, and OAU Charter.

VI. DEVELOPMENT ISSUES

Challenges to Sustainable Development in Africa and Poverty Eradication

87. We deplore the intolerable fact that more than half of all Africans are living in absolute poverty and agree to intensify the fight against poverty. The primary responsibility for alleviating poverty lies at home with each country, but this does not diminish the importance of the international dimension in the war against poverty.

88. We confirm that accelerated economic growth and sustainable development are basic prerequisites for poverty eradication in Africa within its quest for the attainment of sustainable human development as an ultimate goal of the continent's development aspirations. We note that poverty eradication, as an objective is a multi-sectoral issue, which encompasses social development through improvements in such priority sectors as education, health, food security, water and rural development. We also support the efficient allocation of resources that provide adequately for the social sectors, including in national budgets.

89. We note that conservative estimates require that African economies achieve growth rates of at least 7 percent to significantly reduce poverty. We confirm that in Africa's present economic circumstances, this is an enormous challenge relative to the mutually accepted international goal of reducing the proportion of the population living in extreme poverty by at least one-half by the year 2015. We observe that while poverty remains widespread in Africa, there is the need of improving income distribution through poverty-alleviation strategies and policies such as improving the magnitude and quality of social services expenditure, revitalisation of rural economies, and the development and financing of micro, small and medium enterprises.

90. We note that notwithstanding the above, social safety nets should be provided to protect the extremely poor segments of the population.

Investment in Human Resources - Education

91. We recognise the need and are committed to support an approach to education that is explicitly targeted at poverty eradication, and increasing the focus on sector wide approaches to education, which include the achievement of universal primary education, and to increase co-ordination among donors to this end.

92. We recognise the primacy of human resource development for sustainable and equitable development in Africa. We support the high priority to the building of national and regional capacities in the area of science and technology. We support the need to formulate effective national policies for education and training in science and technology for development, with emphasis on the liberalisation of technology flows and the promotion of indigenous technologies on national and regional level. We support the need to create a suitable environment for the retention of African experts within the continent. We also support the need for each African country to devote at least 1% of its GDP to the development of science and technology, and networking national and regional institutions.

93. We reaffirm that an integral part of human resource development is the elimination of gender-based discrimination, and the support of children's rights as enshrined in the UN Convention on the Rights of the Child and in the African Charter on the Rights and Welfare of the Child. We support the implementation of the programme of action for the Education Decade (1997 - 2006).

Investment in Human Resources - Health

94. We note with deep concern the prevalence of poverty and high population growth rates, and that a high number of African States have witnessed inadequate and declining health facilities and services. We pledge to work towards the eradication of endemic, parasitic and infectious diseases such as malaria, tuberculosis, polio and river blindness, which have retarded the quality, and productivity of Africa's human resources.

95. We note with deep concern the problem posed by the growing threat of HIV/AIDS, which has now infected more than 36 million people worldwide with the largest majority in Africa and among the poorest populations. We recognise that the HIV/AIDS pandemic is no longer just a health issue but a serious threat to development.

96. We commit ourselves to devising appropriate actions and initiatives in order to assist African countries in promoting national drug policies, the rational use of pharmaceutical drugs and access to affordable essential drugs, including the promotion of research and the registration of new treatment regimes, and the use of anti-retrovirals in the prevention of mother to child transmission of HIV/AIDS, as contained in the Dakar (1992) and Tunis (1994) Heads of State and Government Declarations on HIV/AIDS.

Food Security

97. We recognise that economic performance and poverty eradication are strongly linked to food security in Africa, which includes issues such as agricultural development, fisheries, livestock, and forestry development. To address this problem, We believe it is necessary to improve access to and availability of food, as well as ensure adequate nutritional quality. We express deep concern that in spite of the fact that Africa is predominantly an agrarian and pastoral continent, food availability at household level is insufficient to ensure food security.

98. We recognise the role women play in many African countries in food production and food security.

99. We agree on the need to take concrete steps to ensure that agricultural promotion is not excessively centred on traditional export commodities, and that food crops, especially those produced and consumed by poor people, should be given particular attention. We agree on the need to support overall food security and nutrition strategies adopted by Africa and to enhance co-operation in these areas.

100. We recognise that the use of environmentally sound food production technologies and sustainable management of natural resources contribute to permanent improvement of food security. We will support investment in research in the areas of high yield crops as well as durable modes of preservation and storage.

Environment

101. We recognise that environmental factors have become increasingly important to Africa's development. The rate of degradation of the natural resource base poses a grave problem in various regions for current and longer-term development.

102. We recognise that the primary responsibility for identifying and responding to environmental issues lies with the countries concerned themselves. We affirm our commitment to co-operate in combating environmental problems. We, therefore, place emphasis on a strategic and participatory approach for the elaboration and implementation of national strategies for sustainable development and, through this process, integration of environmental issues into national development programmes.

103. Particular emphasis must be given to the implementation of the UN Convention to Combat Desertification and to the sustainable use of scarce water and soil, the UN Framework Convention on Climate Change, the Convention on Biological Diversity, Agenda 21, the Kyoto Protocol and the African Common Position on Environment and Development. We also recognise the need to improve international co-operation, co-ordination and coherence to promote integration of environmental issues into other relevant policy sectors. Furthermore, there is a need to ensure both nationally and internationally that trade and environmental policies play a mutually supportive role in favour of sustainable development.

104. Although predominantly rural in nature, Africa is currently the fastest urbanising continent, and the consequences of this shift, and its impact on the environment, need to be recognised in rural and urban development strategies. Other issues, which require attention, include sustainable forestry, transboundary environmental problems and soil and water degradation.

105. We note with deep concern the problem of soil erosion and water degradation. We commit to put in place capacity building measures for the effective means of monitoring these environmental problems in Africa.

106. We recognise that natural disasters have severe impact on many African countries, which adversely affects the prospect of economic growth and sustainable development. We will therefore continue to co-operate actively with competent international organisations, building on the experience gained under the International Decade for Natural Disaster Reduction.

107. We affirm our commitment to co-operate with the African States in combating environmental problems through the provision of financial and technical assistance and in the support of national co-ordinating strategy to integrate environmental issues into national development programmes. According to relevant international conventions, We also agree on the prohibition of the export of hazardous waste to Africa.

Drug Abuse and Trafficking

108. We note with deep concern the problem of drug abuse and trafficking as a global phenomenon which reinforces crime, spreads diseases and reduces the productivity of human resources, especially through the negative impact on the youth of our countries. The need to control this situation is accentuated owing to the fragile socio-economic environment in Africa.

109. We agree on the need to combat the supply and consumption of illicit and psychotropic drugs and to offer the population a lawful alternative to the growing of illicit crops, and stress the need for strengthened co-operation to combat drug abuse, illicit drug production and trafficking as well as the monitoring of trade in precursors, chemical products and psychotropic substances. To this end We agree to implement the pertinent recommendations of the 20th Special Session of the UN General Assembly aimed at reducing substantially the illicit drug phenomenon.

Cultural Issues

110. We pledge to accord importance to cultural cooperation between Africa and Europe as an integral aspect of development.
With regard to cultural goods stolen or exported illicitly, We have taken note of the concerns of African States and request senior officials of the bi-regional group to examine the legal and practical consequences of further action in this area and prepare a report for assessment at ministerial level in the framework of the follow-up mechanism, within reasonable time.

Annex II to the letter dated 27 April 2000 from the Permanent Representatives of Algeria, Egypt and Portugal to the United Nations addressed to the Secretary-General

[Original: Arabic, English and French]

Africa-Europe Summit under the aegis of the Organization of African Unity and the European Union
Cairo, 3 and 4 April 2000

Cairo Plan of Action

I. PREAMBLE

We, the Heads of State and Government of African States and of the European Union, as well as the President of the European Commission, meeting in Cairo, Egypt on 3 – 4 April 2000 at the kind invitation of His Excellency Mohammed Hosni Mubarak, President of the Arab Republic of Egypt, under the Co-Presidency of the President of Algeria, his Excellency Abdelaziz Bouteflika, in his capacity as Chairman of the OAU, and the Prime Minister of Portugal, his Excellency António Guterres, in his capacity as President of the European Council, committed to work towards a new strategic dimension to the global partnership between Africa and Europe have agreed on the following Plan of Action, emphasising the guiding priorities for action to be considered before the second Summit. We are convinced that these actions will contribute to the achievement of the principles and commitments contained in the Cairo Declaration.

II. ECONOMIC ISSUES

Regional Economic Co-operation and Integration

We agree to:

1. Strengthen the support for the process of regional co-operation and integration in Africa. In this context, We will create the necessary environment and develop an effective framework for promoting a constructive dialogue on political, economic, social and development issues.

2. Support regional integration programmes in Africa that are geared to increasing efficiency by eliminating constraints to cross-border trade, investment and payments, and achieving a harmonised economic space.

3. Urge the competent authorities to expedite programmes for capacity building in African regional and national institutions in the area of economic co-operation and integration.

4. Strengthen the capacity of African regional integration institutions, notably the African Economic Community (AEC), and support them in the formulation and implementation of their programmes consistent with the objective of the Abuja Treaty, on the basis of needs assessment which will in particular take into account the impact of multilateral trade liberalisation on regional integration.

5. Promote the implementation of best practices in project formulation and execution, regional sectoral projects, and the harmonisation of macroeconomic and sectoral policies that will help the implementation of Africa's economic co-operation and integration efforts and the speedy establishment of the African Union.

III. INTEGRATING AFRICA INTO THE WORLD ECONOMY

6. We acknowledge both the opportunities and challenges that globalisation offers for all states and commit ourselves to co-operate in order to enhance a political, economic and social environment, conducive to promoting international co-operation, foreign direct investment and other resource flows.

Trade

We agree to:

7. Deepen the link between trade and development in the multilateral trading system, in order to ensure that the benefits of further trade liberalisation and the strengthening of multilateral rules contribute to poverty reduction and sustainable development. We shall pay particular attention to this concern in the future WTO Ministerial Conferences and will cooperate in ensuring the further development of Africa's economic and industrial potential.

8. Enhance the capacity of African countries to derive maximum benefits from opportunities offered by the WTO, taking into consideration the activities carried out in this regard by the AEC. We shall also provide resources for enhancing the capacity of African countries to enter into Economic Partnership Agreements with the EU to formulate appropriate trade policies and to participate actively in trade negotiations, including in the framework of the WTO.

9. Take action to improve the special and differential treatment enshrined in the Marrakech agreements and to address the implementation constraints which African countries are facing.

10. Support African countries by providing technical assistance in order to enhance their capacities to respond to the challenges and opportunities offered by their integration into the global economy.

11. Support the development of programmes on diversification and the enhancement of production capacity in Africa.

12. Ensure that trade arrangements between the EU and Africa enhance co-operation in all trade related areas, building on regional integration initiatives existing within Africa and in line with the goals and objectives of the Abuja Treaty.

13. We acknowledge the commitment of the EU to launch a process in 2000, by which by 2005, duty free market access for essentially all products from Least Developed Countries (LDCs) will be granted and the rules of origin and cumulation provisions that apply to their exports simplified.

Private Sector Development

We agree to:

14. Support the efforts of African countries in continuing to adopt sound macroeconomic and other policy reforms, including adjustment policies, as well as the effort of the public sector in creating the enabling environment for the development of private sector activity.

15. Improve the public-private sector dialogue between and within our regions and encourage North-South co-operation for private sector development in African countries. This will imply the strengthening of private sector representative institutions (through capacity and institutional building), as key actors of a reinforced North-South dialogue, public-private partnership and the setting-up of Joint Business Fora as a possible voice of southern interest in the international debate.

16. Cooperate with African countries in building capacity in the private sector through the exchange of experience in business management and the stimulation of joint ventures, investment and trade promotion and the support for the development of micro-finance schemes and the informal sector.

Investment

We agree to:

17. a) Commit ourselves to the creation of a conducive environment in Africa for an enhanced private sector development, including macro and micro economic foundations of competitiveness.

b) Work with governments and private sector in order to improve a regulatory framework for business community.

c) Develop at national and regional levels, including with the AEC and the RECs, programmes on the promotion of foreign direct investment flows into Africa.

18. Support South-South co-operation through triangular mechanisms, with a view to building capacity in business management, exchange of experience, as well as promoting joint ventures, and mergers and acquisitions, inter alia through technical assistance aimed at strengthening the African financial markets and instruments.

19. Develop better information on investment in Africa, and strengthen African small and medium enterprises through schemes and instruments to be determined. Encourage joint ventures between African and European investors, with the support of EU. The establishment of African-EU management centres in Africa, in order to provide avenues for European technology services could enhance Africa's entrepreneurship in this respect.

20. Co-operate in dealing with the problem of capital flight from Africa in all its aspects, including to offshore financial centres, and examine appropriate measures to that end.

Resources for Development

We agree:

21. That concessionary resources (of the ODA type) are required in order to address as a priority, the structural rigidities that constrain Africa's development effort, especially the development of human resources capacities and poverty eradication as well as in the expansion of physical infrastructure and production capacities.

22. To intensify efforts to meet the internationally agreed targets for resource transfers to developing countries.

23. To encourage all partners of development co-operation, donors as well as beneficiaries, to organise their development assistance more effectively, to work for enhanced co-ordination and complementarity, inter alia by harmonising and simplifying procedures.

Infrastructural Problem and Industrial Base

We agree to:

24. Continue to support African countries in their efforts to increase their production capacities, strengthen industrial base, enhance competitiveness and diversify their economies.

25. Continue to support African countries in their efforts to expand their transport and communications network and services with a view to increasing access to rural and isolated areas as well as interconnecting their national networks.

26. Enhance their capacity to create a propitious environment and to build capacities in the regulatory, policy-making and operations fields.

27. Provide financial resources and technical support for the development and maintenance of infrastructure and industry and promote the involvement of the private sector.

28. Support programmes on economic transformation and the strengthening of industrial base in Africa while taking into account environmental and health concerns in the continent.

29. Attach high priority to air safety in Africa and agree to co-operate to enhance the capacity of African countries to implement communications, navigation, surveillance, air traffic management and safety systems including appropriate programs.

Research and Technology

We agree to:

30. Encourage the formulation of comprehensive programmes in the development and transfer of technology with special emphasis on science and technology, indigenous technologies, the development of educational and training systems, and information technology.

31. Support technological change in Africa, as well as the development and upgrading of Africa's indigenous technologies in recognition of the critical role of technology in Africa's development and economic transformation.

32. Assist African countries in their efforts to build and rehabilitate their institutional infrastructure and to enhance the transfer and development of technology, through inter alia, technology information and innovation centres.

External Debt

We agree :

33. To welcome the Enhanced Heavily Indebted Poor Countries (HIPC) initiative agreed last year and call on the international community to ensure its speedy implementation. This initiative will provide additional resources for poverty reduction strategies. We also welcome other initiatives on a bilateral basis, including those for the cancellation of the ODA debts.

34. To welcome the EU commitment to contribute 1 billion Euros to the HIPC initiative and the link of this contribution to measures on poverty reduction. We also call on all creditors to participate fully, by providing their proportional share of HIPC debt relief in a timely way.

35. To facilitate the implementation of measures that will prevent unsustainable debt levels in Africa, through inter alia, effective policy reforms and improved debt management.

36. To support African countries in channelling the amounts of resources from debt relief to poverty eradication strategies and programmes, including in social and infrastructural sectors. In this regard, We reaffirm the commitment to achieve the globally agreed target of poverty reduction by half by the year 2015.

37. That the bi-regional group at Senior Officials' level will take the necessary measures to prepare a report on the external debt of African countries, which will be studied within a reasonable timeframe at Ministerial level in the framework of the follow-up mechanism.

Cooperation in International Fora

We agree to:

38. Work together for the improvement of international understanding and co-operation for development and human progress.

39. Take into account the interest and concerns of African States, in particular the LDCs, in all international fora.

40. Work towards the attainment of the goals and objectives adopted in major international conferences organised under the UN auspices.

IV. HUMAN RIGHTS, DEMOCRATIC PRINCIPLES AND INSTITUTIONS, GOOD GOVERNANCE AND THE RULE OF LAW

Human Rights

We agree to:

41. Promote and fully respect and protect human rights in our respective countries in order to secure the enjoyment of human rights and fundamental freedoms for all human beings regardless of their gender, race, place of origin, religion, social status, ethnic background, political opinions and languages.

42. Adopt a comprehensive approach to the task of eliminating the causes of human rights violations.

43. Strengthen our co-operation and national capabilities and provide needed technical assistance to promote Human Rights.

44. Encourage the ratification and implementation of all major international human rights instruments and full co-operation with the agreed international human rights mechanisms.

45. Encourage all States, who have not done so, to incorporate international human rights norms in their national constitutions and legislation.

46. Support institutions and organisations dealing with the protection of human rights, including through the provision of financial assistance.

47. Be vigilant in all political action, as well as in the formulation and application of development policies, so that they assure equality of treatment and opportunities for all.

48. Work towards the promotion and protection of the rights of women including through the elimination of violence against women and girls and the full application of all relevant instruments, in particular the Convention on the Elimination of All Forms of Discrimination Against Women.

49. Adopt measures to combat violence against women and children, including elimination of all forms of exploitation of children, in particular to stop the use of child soldiers and support their rehabilitation and re-integration.

50. Ensure fundamental freedoms, in particular freedom of the press.

51. Fully support the establishment of the International Criminal Court and urge States to ratify the Rome Statute at the earliest opportunity.

52. Urge States to implement international humanitarian law in full, in particular by adopting national legislation to tackle the culture of impunity and to bring to justice the perpetrators of war crimes, crimes against humanity and genocide, by ensuring that international humanitarian law is fully integrated into the training programmes and operational procedures of armed forces and the police force and by ensuring during armed conflicts that impartial humanitarian organisations have secure, rapid and unimpeded access to the civilian population.

Democratic Principles and Institutions

We agree to:

53. Support the establishment and consolidation of democratic public institutions on the basis of pluralism, separation of powers, participatory processes and respect for human rights, democratic principles and the rule of law.

54. Consolidate democratic institutions and provide necessary institutional and financial assistance for their consolidation.

55. Consolidate fair, transparent and independent judiciary systems on the basis of the rule of law.

56. Support the active role for civil society groups as important pillars of a democratic and stable society.

57. Ensure the holding of regular, transparent, free and fair elections and develop the necessary capacities for their smooth organisation and monitoring.

58. Guarantee the full participation of our people in the decision-making process as well as the equitable distribution of national wealth.

Good Governance and Rule of Law

We agree to:

59. Support and encourage efforts to promote good governance and strengthen the rule of law, specifically to enhance State capacity to carry out core policy and service delivery functions, enhance transparent and accountable Government, prevent corruption and ensure security and access to justice for all. In this context We will provide technical assistance, training and share our experience and expertise.

60. Take effective action to prevent and combat bribery, corruption and nepotism which are recognised to be among the major obstacles to good governance and economic and social development.

61. Take necessary measures to combat corruption both at internal and international levels and to ensure that illegally acquired moneys lodged in foreign banks are investigated and returned to the legal owners of the countries of origin.

62. Express our concern at the adverse impact on development of continuously increasing military expenditure.

Civil Society

63. We agree to recognise the role of NGOs in creating and maintaining a vibrant civil society.

Migration

We agree to:

64. Support, as appropriate, African countries in ensuring free intra-African mobility of labour and migration in the spirit of the Abuja Treaty.

65. Collaborate in addressing the root causes of migration and asylum-seeking in source, transit and recipient countries.

66. Collaborate further in the issue of the reciprocal integration of migrants, migrant rights and re-admission agreements between the European and African countries.

67. Recognise the need for measures to combat racism and xenophobia and to secure the respect of the dignity and protection of the migrants' rights, to which they are entitled, under applicable international law, notably the right to fair treatment based on the principle of non-discrimination.

Refugees and Internally Displaced Persons (IDP)

In order to address the problem of refugees and displaced people, We agree to the following urgent actions:

68. Fully implement all relevant conventions.

69. Co-operate closely for the eradication of the root causes of refugees and displaced persons.

70. Continue to provide assistance to refugees and displaced persons and to participate in their voluntary return and in their reintegration in conformity with international law and relevant UN conventions.

71. Support efforts by international and national bodies and actors in order to ensure the safeguarding of the civilian and humanitarian character of refugee camps and settlements.

V. PEACE-BUILDING, CONFLICT PREVENTION, MANAGEMENT AND RESOLUTION

Peace-building, Conflict Prevention, Management and Resolution

We agree to:

72. Contribute to securing an environment of peace and security in our countries.

73. Tackle the root causes of conflicts with a view to preventing further conflicts.

74. Reinforce the continental and regional mechanisms for conflict prevention, management and resolution through, among others, the strengthening of the OAU Mechanism, and the enhancement of the capacity and the effectiveness of the Conflict Management Centre.

75. Work towards the operationalization of the OAU Early Warning System.

76. Reinforce existing co-operation in order to contribute to the resolution of ongoing conflicts.

77. Continue to provide political, material and financial support as appropriate for the facilitators of the peace processes.

78. Elaborate programmes to sensitise and raise the awareness of our people about the culture of peace.

79. Use the experience acquired by the EU for the strengthening of OAU's and sub-regional organisations' operational capacities. We also welcome the Sirte Summit decision to convene an African Ministerial Conference on Security, Stability, Development and Co-operation on the Continent to be held in Abuja, Nigeria, in May 2000.

80. Support the involvement of women in conflict prevention and peace building by including a gender perspective in agendas for peace negotiations and by facilitating the active participation of women in alternative diplomacy and at peace negotiating tables.

81. Take measures to stop the illegal exploitation of natural resources and to combat the illicit trade in certain high value commodities, particularly diamonds, which often exacerbate and perpetuate conflict. We call on all States to implement fully and enforce the relevant UN sanctions.

Disarmament, Demobilisation and Reintegration

82. We agree to support programmes for disarmament, demobilisation and reintegration. In this respect special attention will be given to child soldiers and to the provision of vocational training to former and demobilised combatants. This should be associated with the effective management and the eventual destruction of accumulated small arms and light weapons.

Terrorism

We agree to:

83. Work together to improve international co-operation in the fight against terrorism with a view to eliminating such a phenomenon in all its forms and manifestations in accordance with our international obligations, the UN Charter and general norms of international law, including the respect for human rights. In particular, We support the central role of the UN in fighting terrorism and undertake to work together to achieve the widest possible international adherence to the UN anti-terrorist conventions, including through the convening of an international conference on terrorism.

84. Speed up the ratification and full implementation of the relevant Conventions on terrorism.

85. Strengthen co-operation in order to forestall and combat terrorism and develop appropriate strategies and methods and, in particular, to exchange as and when desired information thereon.

Small Arms and Light Weapons

We agree to:

86. Intensify efforts to fully co-operate at international fora to combat the problem of illicit trafficking in small arms and light weapons, including reducing the flow of arms to conflict regions, and support relevant African and European initiatives.

87. Endeavour to ensure the success of the UN conference on the illicit trade in small arms and light weapons in all its aspects in 2001.

Landmines

We agree to:

88. Provide financial and technical assistance for the removal of existing landmines in African countries.

89. Work towards assisting and rehabilitating landmine victims, promoting mine awareness and developing the national capacities and skills in de-mining.

The 2000 Review Conference on the NPT

We agree:

90. To work closely in order to conduct a comprehensive review of the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons with a view to achieving a successful outcome of the 2000 Review Conference, bearing in mind the fundamental importance of the three decisions and the resolution adopted by the 1995 Review and Extension Conference, and considering the peaceful use of nuclear technologies and the establishment of new nuclear weapon free zones, in accordance with the relevant UNGA resolutions, among the States of the region concerned.

91. To support the PELINDABA Treaty signed in Cairo, establishing the African continent as a nuclear weapon free zone, and in this regard, reiterate our common commitment to contribute to the strengthening of the non-proliferation regime and nuclear disarmament.

Post-conflict assistance

92. We agree to assist in the rehabilitation of destroyed infrastructure and in the creation of a conducive physical environment for development in countries emerging from conflict situations.

VI. DEVELOPMENT ISSUES

Challenges to Sustainable Development in Africa and Poverty Eradication

We agree to:

93. Continue to work together to fight poverty. We reaffirm our commitment to meeting the International Development Targets and will continue to focus our poverty eradication efforts by supporting approaches which integrate the pursuit of economic growth with political, social, environmental and cultural considerations.

94. Support the formulation and implementation of strategies and policies, as well as programmes that are directed at poverty eradication, especially in the rural areas, through inter alia, the revitalisation of the rural economies, and the setting up of social safety nets. In this context, We share the hope, expressed by the OAU, for the creation of a World Solidarity Fund to address Africa's development with special focus on poverty eradication.

95. Support initiatives to integrate gender in macroeconomic planning and the establishment of budgets that take into account the gender issue.

Education

We agree to:

96. Work for the achievement of education for all, prioritising the attainment of the International Development Target of universal primary education by 2015 and gender equality in schooling by 2005. We are committed to strengthening our co-operation to ensure that sound, costed strategies for the achievement of these key objectives are in place and receive strongly co-ordinated support.

97. Support African governments in their efforts to give high priority to the building of national and regional capacities in the area of science and technology, through the formulation of sound and effective national policies for education and training in science and technology for development, as well as in networking of regional and national institutions and centres of excellence. In this regard, We call upon African governments to devote at least 1% of their GDP to the development of these areas.

98. Support the effort of African countries in the creation of a suitable environment for the retention of African experts within the continent, and agree on the need for action to reverse the brain drain.

Health

We agree to:

99. Work towards the eradication of endemic, parasitic and infectious diseases such as malaria, tuberculosis, polio, major infectious diseases of childhood and river blindness, which have retarded the quality, and productivity of Africa's human resources.

100. Increase support to meeting basic needs and to greater protection and priority access for the most vulnerable and disadvantaged. In particular, greater account shall be taken in matters regarding women's health and family planning. Support for the development of systems of social protection and security will be increased.

101. Continue to work towards:
a) greater access to safe water and sanitation;
b) the reduction of maternal mortality;
c) the reduction of the mortality rates of infants and children under the age of five years;
d) the reduction of the number of malnourished persons.

102. Promote formulation of national drug policies and strategies with a view to improve the access to and affordability of essential drugs.

103. Also co-operate in the provision of adequate financial and technical assistance to African countries geared towards the eradication of endemic diseases, such as malaria, tuberculosis, polio and river blindness.

104. Reiterate the devastating nature of the HIV/AIDS pandemic as a national emergency in many African countries.

105. Work together to focus national HIV/AIDS programmes on well known and effective strategies for reducing the spread of the disease. We call on African Governments, EU Partners and external agencies to work with UNAIDS Africa Partnership and civil society to mitigate the devastating impact of the HIV/AIDS pandemic.

106. Recognise the growing burden of HIV on individuals and are committed to reducing the stigma of people with HIV, promoting local solutions such as home-based care, developing programmes to help AIDS orphans to become and remain valued productive members of society, improving health services, promoting and improving access to essential drugs.

107. Promote co-operation in research into new treatment regimes and their registration, as well as in the use of anti-retrovirals in the prevention of mother to child transmission of HIV/AIDS, as contained in the Dakar (1992) and Tunis (1994) Heads of State and Government Declarations on HIV/AIDS. We will support initiatives aimed at developing an appropriate HIV/AIDS vaccine.

108. Call on pharmaceutical companies, whether research-based or not, to do their utmost to make medicines, whether patented or not, available at affordable prices in particular to the poorest and for the most serious diseases, such as HIV/AIDS.

109. In this respect, call upon governments and other donors to make more resources available for assisting these countries in their fight against the pandemic.

The Environment

We agree to:

110. Strengthen our co-operation in the field of prevention of natural disasters and set up disaster prevention and preparedness mechanisms, including reduction and early warning systems, taking into account particularly the work accomplished on the International Decade for Natural Disaster Reduction. We also agree to strengthen our co-operation on humanitarian assistance, rehabilitation and reconstruction related to the consequences of such disasters.

111. Give priority to the implementation of the United Nations Convention to Combat Desertification.

112. Co-operate in environmental issues as a basis for ensuring sustainable development.

113. Promote responsible policies aimed at the preservation of African fishing resources.

114. Take account of the regional dimension in environmental issues on the African continent.

115. Ensure the prohibition of the export and transit of hazardous waste to Africa, as provided for in the relevant international conventions.

116. Support the efforts for the conservation, management and sustainable development of Africa's vast forests, through, inter alia, programs that are also beneficial to the communities concerned.

117. Commit to the conservation of Africa's rich heritage in biological diversity, which is a global asset, and promote its sustainable use for the benefit of the local people.

118. Support country-driven specific measures to strengthen the capacity to implement obligations resulting from all relevant international environmental Conventions. Specifically, We will continue to support the implementation of the commitments under the UN Framework Conventions on Desertification, Climate Change and Biodiversity. This includes the participation of African experts in the Intergovernmental Panel on Climate Change (IPCC), the strengthening of the national climate policy focal points and the development and implementation of the climate change-related policies and action plans, the start-up of Clean Development Mechanism projects under the Kyoto Protocol, the testing of pilot technologies in the field of new and renewable sources of energy and energy efficiency and the transfer of other climate change-related technology to the African countries.

Food Security

We agree to:

119. Co-operate in formulating and implementing food security policies including supporting food production, processing, storage, marketing and distribution, improving access to food as well as ensuring adequate nutritional quality. We also agree to co-operate in the establishment of early warning systems to monitor drought and crop production.

120. Support African networking with EU partners, in the areas of agricultural technology and know-how, extension services, and rural infrastructure.

121. Support investment in research in the areas of high-yield crops and durable preservation and storage and provide support for building national and regional capacity for multilateral trade negotiations, including food sanitation and other agricultural trade regulations.

Drug Abuse and Trafficking

We agree to:

122. Continue to work closely with African partners in combating vigorously drugs trafficking and money laundering, both on a multilateral and bilateral basis. We also agree to combat the demand and supply of illicit drugs, narcotics and psychotropic substances in conformity with the pertinent recommendations of the 20th UNGASS and aim at offering the populations lawful alternatives to the growth of illicit crops.

123. Strengthen our co-operation in developing strategies and capacity building measures to this effect.

124. Assist African countries and organisations in strengthening their capacities to control illicit drugs and trafficking and money laundering.

Cultural Issues

125. We pledge to accord importance to cultural cooperation between Africa and Europe as an integral aspect of development.
With regard to cultural goods stolen or exported illicitly, We have taken note of the concerns of African States and request senior officials of the bi-regional group to examine the legal and practical consequences of further action in this area and prepare a report for assessment at ministerial level in the framework of the follow-up mechanism, within reasonable time.

VII. FOLLOW-UP MECHANISM

126. We agree that all the terms of reference concerning participation in the first Summit shall apply further on to all relevant mechanisms and with this understanding:

127. We agree to adopt the following mechanism to give impetus to and to monitor the implementation of the Plan of Action:
a) Summit of Heads of State and Government based on a principle of continuity
b) Meeting of Ministers (in between the Summits)
c) A bi-regional group at Senior Officials' level.

128. The bi-regional group at a Senior Officials' level will meet regularly, monitor and encourage the achievement of the priorities for action, from a political viewpoint, and with the objective of contributing, on the basis of existing mechanisms, towards global dialogue with a view to strengthening the strategic bi-regional partnership in its political, economic, social, environmental, educational, cultural, technical and scientific dimensions.

129. In addition, the priorities for action adopted by the Summit will be promoted through the current ministerial discussions between the European Union and the African countries in the framework of the relevant mechanisms of inter-regional cooperation.

130. The second Summit will take place in Europe, in 2003.